CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 95-064

SITE CLEANUP REQUIREMENTS FOR:

VELCON FILTERS, INC.
FORMER VELCON II SITE
1761 JUNCTION AVENUE
SAN JOSE, SANTA CLARA COUNTY

VELCON FILTERS, INC.
LUCIAN W. TAYLOR & JEAN B. TAYLOR
TRIAD TOOL AND ENGINEERING, INC.
FORMER TAYLOR PROPERTY
1750 ROGERS AVENUE
1759 JUNCTION AVENUE
SAN JOSE, SANTA CLARA COUNTY

VELCON FILTERS, INC.
PHOENIX TECHNICAL PRODUCTS, INC.
FORMER VELCON I SITE
ROGERS AVENUE
SAN JOSE, SANTA CLARA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board) finds that:

1. Site Location and Description Velcon Filters, Inc. (hereinafter, the discharger) is a company that manufactures fuel filters for aircraft. The Velcon Filters site consists of three adjacent properties located between Junction Avenue and Rogers Avenue in a light industrial area of northern San Jose. 1761 Junction Avenue is owned by the discharger, 1754 Rogers Avenue was previously owned by the discharger, and portions of 1750 Rogers Avenue/1759 Junction Avenue, known as the Taylor property, were occupied by the discharger. Development of the site began in the 1960s and the site was used by the discharger for manufacturing and testing.

2. Site Pollution History A major fuel spill occurred at the site in 1975 or 1976 (exact date unknown). The spill involved 7,000 gallons of Jet-A fuel which found its way to Coyote Creek. The U.S. Coast Guard and Department of Fish and Game responded to the spill. 1,500 gallons of fuel were recovered from Coyote Creek. A second major spill occurred in 1976. This spill resulted in the loss of 4,000 gallons of Jet-A fuel. No fuel was recovered. Other spills

ranging from two to thirty gallons have occurred over the years. The site has fuel storage facilities consisting of five 10,000 gallon and one 6,000 gallon underground aviation fuel tanks and one 500 gallon underground wastewater sump. The initial site investigation focused on the area of the underground storage tanks. Levels of jet fuel were found in soil at up to 2,200 parts per million (ppm) and in groundwater at up to 1,200 ppm. During the course of the fuel leak investigation, volatile organic compounds (VOCs) were discovered to be present in soil and groundwater at the site. TCE and DCE were found in soil at levels of up to 52 ppm and 5.2 ppm respectively, and in groundwater at levels of up to 59 ppm and 14 ppm respectively.

3. Chemicals of Concern Based on the data collected as part of the ongoing remedial investigation at the Velcon Filters site, it was determined that the following aviation fuel compounds and Volatile Organic Compounds (VOC's) were present in soil and/or groundwater at the site:

TPH as Jet Fuel	PCE
TCE	Benzene *
1,1-DCE	Toluene *
Trans 1,2-DCE	Xylene *
Cis 1,2-DCE	Ethylbenzene *
1,1-DCA	
Vinyl Chloride	

* Components of jet fuel present in smaller amounts.

4. Regulatory Status This site has not been previously regulated under site cleanup requirements issued by the Board.

Velcon Filters, Inc. is hereby named as the primary responsible party (PRP) for cleanup at this site. Velcon Filters, Inc. is named as the PRP because Velcon owned and/or occupied the three properties where pollution originated at this site, they owned and/or occupied the properties when the pollution occurred and through their actions are responsible for causing the soil and groundwater pollution at this site.

Lucian W. Taylor and Jean B. Taylor are hereby named as secondarily responsible parties because they were the owners of the property at 1750 Rogers Avenue/1759 Junction Avenue (the Taylor Property) at a time that discharges of pollutants to soil and groundwater are believed to have occurred. In addition, Lucian Taylor was the president of Velcon Filters during this time. Triad Tool and Engineering, Inc. is hereby named as a secondarily responsible party because they are the current owners of 1750 Rogers Avenue/1759

Junction Avenue, the former Taylor Property.

Phoenix Technical Products, Inc. is hereby named as a secondarily responsible party because they are the current owners of the former Velcon I property.

Provision C. 2. of the Order states that in the event that Velcon Filters, Inc. fails to comply with the provisions of this Order, the secondarily responsible parties shall comply with the Order.

5. Site Hydrogeology Velcon Filters is located in the Santa Clara Valley, a structural basin filled with marine and alluvial sediments. The coarser deposits are probably the result of deposition in or near stream channels that drain the highlands that surround the basin. Finer grain deposits result from a variety of conditions with the eventual result of a heterogeneous sequence of interbedded sands, silts and clays. Municipal water supply wells tap an extensive deep regional confined aquifer that lies generally greater than 200 feet below ground surface (BGS). A thick, relatively impermeable aquitard separates this deep confined aquifer from a complex series of discontinuous aquifers and aquitards that may extend up to within a few feet of the ground surface. Three shallow water bearing zones have been investigated as part of the remedial investigation at Velcon Filters. The uppermost aquifer, designated the A aquifer, generally consists of clay with minor silt layers or lenses and lies generally between 15 and 30 feet BGS. Below this is the second aquifer, designated the B1 aquifer. The B1 aquifer consists of a discontinuous sand and silt layer of variable thickness. Below about 45 feet is the third aquifer, designated the B2 aquifer. The B2 aquifer is a sandy layer of unknown thickness.

6. Interim Remediation The underground tanks and wastewater sump at the site have been removed. No other remedial measures have been taken yet.

7. Extent of Groundwater Pollution Floating and dissolved jet fuel product exists onsite and VOCs are present in groundwater down to about 50 feet and extending offsite. The discharger has established monitoring wells downgradient and to the sides of the pollutant plume, however the extent of the plume within those boundaries is unknown.

8. Vertical Conduit Study A record survey of water wells within one-quarter mile of the site has not yet been performed. The potential for such wells to act as vertical conduits for the passage of pollutants down to deeper aquifers is therefore unknown.

9. Basin Plan The Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on December 17, 1986 and subsequently

amended it. This Order implements the water quality objectives for South San Francisco Bay and contiguous surface and ground waters.

10. Board Resolution 89-39 On March 15, 1989, the Board adopted Resolution No. 89-39, which incorporated the State Board Policy of "Sources of Drinking Water" into the Basin Plan. The policy provides for a Municipal and Domestic Supply designation for all waters of the State with some exceptions. Groundwater of the State are considered to be suitable or potentially suitable for municipal or domestic supply except where: 1) the total dissolved solids in the groundwater exceed 3000 mg/L, and/or 2) the water source does not provide sufficient water to supply a single well capable of producing an average, sustained yield of 200 gallons per day. Based on data submitted to date, the Board finds that neither of these two exceptions apply to the A or B zone at Velcon Filters and its downgradient plume area. Thus, the aquifers at Velcon Filters and its pollutant plume area are considered to be potential sources of drinking water.

11. State Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality Waters in California" On October 28, 1968, the State Water Resources Control Board adopted Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality Waters in California". This policy calls for maintaining the existing high quality of State waters unless it is demonstrated that any change would be consistent with the maximum public benefit and not unreasonably affect beneficial uses. The discharges of waste at Velcon Filters which impacted groundwater were in violation of this policy; therefore, the groundwater quality needs to be restored to its original quality to the extent reasonable. For the purpose of establishing cleanup standards, the shallow groundwater at Velcon Filters and its pollution plume area are designated a potential source of drinking water.

12. State Board Resolution No. 92-49, "Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304" On June 18, 1992 the State Water Resources Control Board adopted Resolution No. 92-49, "Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304". This resolution provides guidance to be followed by the Regional Board in requiring investigation, cleanup, and abatement under section 13304 of the Water Code.

13. Beneficial Uses The existing and potential beneficial uses of the groundwater underlying and adjacent to Velcon Filters include:

    a. Industrial process water supply
    b. Industrial service water supply
    c. Municipal and Domestic water supply

d. Agricultural water supply.

14. The dischargers have caused or permitted, and threaten to cause or permit waste to be discharged or deposited where it is or probably will be discharged to waters of the State and creates or threatens to create a condition of pollution or nuisance. Containment and cleanup measures need to be continued to alleviate the threat to the environment posed by the continued migration of the groundwater plume of pollutants.

15. This action is an order to enforce the laws and regulations administered by the Board. This action is categorically exempt from the provisions of the CEQA pursuant to Section 15321 of the Resources Agency Guidelines.

16. Pursuant to Section 13304 of the Water Code, the dischargers are hereby notified that the Board is entitled to, and may seek reimbursement for, all reasonable costs actually incurred by the Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this Order. Upon receipt of a billing statement for such costs, the dischargers shall reimburse the Board.

17. The Board has notified the dischargers and interested agencies and persons of its intent under California Water Code Section 13304 to prescribe Site Cleanup Requirements for the discharge and has provided them with the opportunity for a public hearing and an opportunity to submit their written views and recommendations.

18. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that the dischargers, their agents and assigns or successors, shall cleanup and abate the effects described in the above findings as follows:

A. **PROHIBITIONS**

1. The discharge of wastes or hazardous materials in a manner which will degrade water quality or adversely affect the beneficial uses of the waters of the State is prohibited.

2. Further significant migration of pollutants through subsurface transport to waters of the State is prohibited.

3. Activities associated with the subsurface investigation and cleanup which will cause significant adverse migration of pollutants are

prohibited.

B. SPECIFICATIONS

1. The storage, handling, treatment or disposal of polluted soil or groundwater shall not create a nuisance as defined in Section 13050(m) of the California Water Code.

2. The dischargers shall conduct monitoring activities as needed or as determined by the Board's Executive Officer, to define the current local hydrogeologic conditions, and the lateral and vertical extent of soil and groundwater pollution. Should monitoring results show evidence of pollutant migration, additional plume characterization may be required.

C. PROVISIONS

1. The dischargers shall comply with the Prohibitions and Specifications above, in accordance with the following tasks and compliance time schedules:

SOIL AND GROUNDWATER CHARACTERIZATION

a. TASK 1 - SOIL AND GROUNDWATER CHARACTERIZATION
Submit a technical report acceptable to the Executive Officer documenting the completion of the investigation of the horizontal and vertical extent of the soil and groundwater pollution and defining the local hydrogeologic conditions at the site.

COMPLETION DATE: September 30, 1995

WELL SURVEY

b. TASK 2 - WELL SURVEY: Document in a technical report acceptable to the Executive Officer the completion of a survey of all wells within a 1/4 mile radius of the pollutant plume which could act as potential vertical conduits to the deeper aquifers.

COMPLETION DATE: May 30, 1995

SOIL AND GROUNDWATER REMEDIATION

c. TASK 3 - PROPOSAL FOR INITIAL INTERIM REMEDIATION AND CONTAINMENT MEASURES: Submit a technical report acceptable to the Executive Officer containing a proposal for initial interim containment and treatment measures for remediation of polluted groundwater at the assumed pollutant source(s) of the Velcon Filters Site.

COMPLETION DATE: June 30, 1995

d. TASK 4 - IMPLEMENTATION OF INITIAL INTERIM REMEDIATION AND CONTAINMENT MEASURES: Submit a technical report acceptable to the Executive Officer documenting the implementation of the approved initial interim remediation measures identified in the technical report submitted for Task 3.

COMPLETION DATE: December 30, 1995

e. TASK 5 - PROPOSAL FOR INTERIM HYDRAULIC CONTAINMENT AND SOIL REMEDIATION MEASURES: Submit a technical report acceptable to the Executive Officer containing a proposal and a time schedule to contain and treat the polluted groundwater at the Velcon Filters site. The report should also address the actions neccesary to ensure that polluted soil will not continue to be a source of pollutants migrating into the groundwater.

COMPLETION DATE: December 30, 1995

f. TASK 6 - IMPLEMENTATION OF INTERIM HYDRAULIC CONTAINMENT AND SOIL REMEDIATION MEASURES: Submit a technical report acceptable to the Executive Officer documenting the implementation of the approved hydraulic containment and soil remediation measures identified in the technical report submitted for Task 5.

COMPLETION DATE: Six months after approval by the Executive Officer of the proposal submitted for Task 5.

PROPOSED FINAL CLEANUP OBJECTIVES AND ACTIONS

g. TASK 7 - PROPOSED FINAL CLEANUP OBJECTIVES AND ACTIONS: Submit a technical report acceptable to the Executive Officer that contains the results of the remedial investigation; an evaluation of the installed interim remedial measures; proposed final cleanup objectives; a feasibility study evaluating alternative final remedial measures; the recommended measures necessary to achieve final cleanup objectives; and the tasks and time schedule necessary to implement the recommended final remedial measures.

COMPLETION DATE: One year after completion of Task 6.

2. Velcon Filters is responsible for and shall comply with all of the provisions of this Order. If Velcon Filters, Inc. fails to comply with the provisions of this Order, within sixty (60) days of the Executive Officer's determination and actual notice, Lucian W. Taylor and Jean B. Taylor, and/or Triad Tool and Engineering, Inc., shall comply with the provisions of this Order as noticed.

3. If the dischargers are delayed, interrupted or prevented from meeting one or more of the completion dates specified in this Order, the dischargers shall notify the Executive Officer prior to the deadline for the completion date. Notifications can be included with required groundwater reports.

4. Technical reports summarizing the self-monitoring program results and the status of compliance with the Prohibitions, Specifications, and Provisions of this Order shall be submitted on a quarterly basis, according to the schedule below, commencing with the completion of task 4 of Provision C.1.d. above.

QUARTER	First	Second	Third	Fourth
PERIOD	Jan.-March	April-June	July-Sept.	Oct.-Dec.
DUE DATE	April 30	July 31	October 31	January 31

The quarterly reports shall include:

a. a summary of work completed since the previous quarterly report, and work projected to be completed by the time of the next quarterly report;
b. appropriately scaled and labeled maps showing the location of all

monitoring wells, extraction wells, and existing structures;

c. updated water table and piezometric surface maps for all affected water bearing zones, and isoconcentration maps for VOC's in all affected water bearing zones, to be included at a minimum in the reports for the second and fourth quarters, or in the event of significant changes;

d. a summary tabulation of all groundwater levels and chemical analysis results for groundwater monitoring wells;

e. identification of potential problems which will cause or threaten to cause noncompliance with this Order and what actions are being taken or planned to prevent these obstacles from resulting in noncompliance with this Order; and,

f. in the event of noncompliance with the Provisions and Specifications of this Order, the report shall include written justification for noncompliance and proposed actions and schedule to achieve compliance.

5. All hydrogeological plans, specifications, reports, and documents shall be signed by or stamped with the seal of a registered geologist, engineering geologist or professional engineer.

6. All samples shall be analyzed by State certified laboratories or laboratories accepted by the Board using approved EPA methods for the type of analysis to be performed. All laboratories shall maintain Quality Assurance/Quality Control records for Board review.

7. The dischargers shall maintain in good working order, and operate, as efficiently as possible, any facility or control system installed to achieve compliance with the requirements of this Order.

8. Copies of all correspondence, reports, and documents pertaining to compliance with the Prohibitions, Specifications, and Provisions of this Order, shall be provided to the following agencies:

   a. Santa Clara Valley Water District
   b. Santa Clara County Health Department
   c. City of San Jose

   The Executive Officer may additionally require copies of correspondence, reports and documents pertaining to compliance with the Prohibitions, Specifications, and Provisions of this Order to be provided to a local repository for public use.

9. The dischargers shall permit the Board or its authorized representative,

in accordance with Section 13267(c) of the California Water Code:

a. Entry upon premises in which any contamination sources exist, or may potentially exist, or in which any required records are kept, which are relevant to this Order.
b. Access to copy any records required to be kept under the terms and conditions of this Order.
c. Inspection of any monitoring equipment or methodology implemented in response to this Order.
d. Sampling of any groundwater or soil which is accessible, or may become accessible, as part of any investigation or remedial action program undertaken by the dischargers.

10. Velcon Filters, Inc. shall file a timely report on any changes in site occupancy and ownership associated with the facility described in this Order.

11. The discharger shall reimburse the Board for all reasonable costs actually incurred by the Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this Order, upon receipt of a billing statement for such costs.

12. If any hazardous substance is discharged to any waters of the state, or discharged and deposited where it is, or probably will be discharged to any waters of the state, the dischargers shall report such discharge to this Board, at (510) 286-1255 on weekdays during office hours from 8 a.m. to 5 p.m., and to the Office of Emergency Services at (800) 852-7550 during non-business hours. A written report shall be filed with the Board within five (5) working days and shall contain information relative to: the nature of waste or contaminant, quantity involved, duration of incident, cause of spill, Spill Prevention, Control, and Countermeasure Plan (SPCC) in effect, if any, estimated size of affected area, nature of effect, corrective measures that have been taken or planned, and a schedule of these activities, and persons/agencies notified.

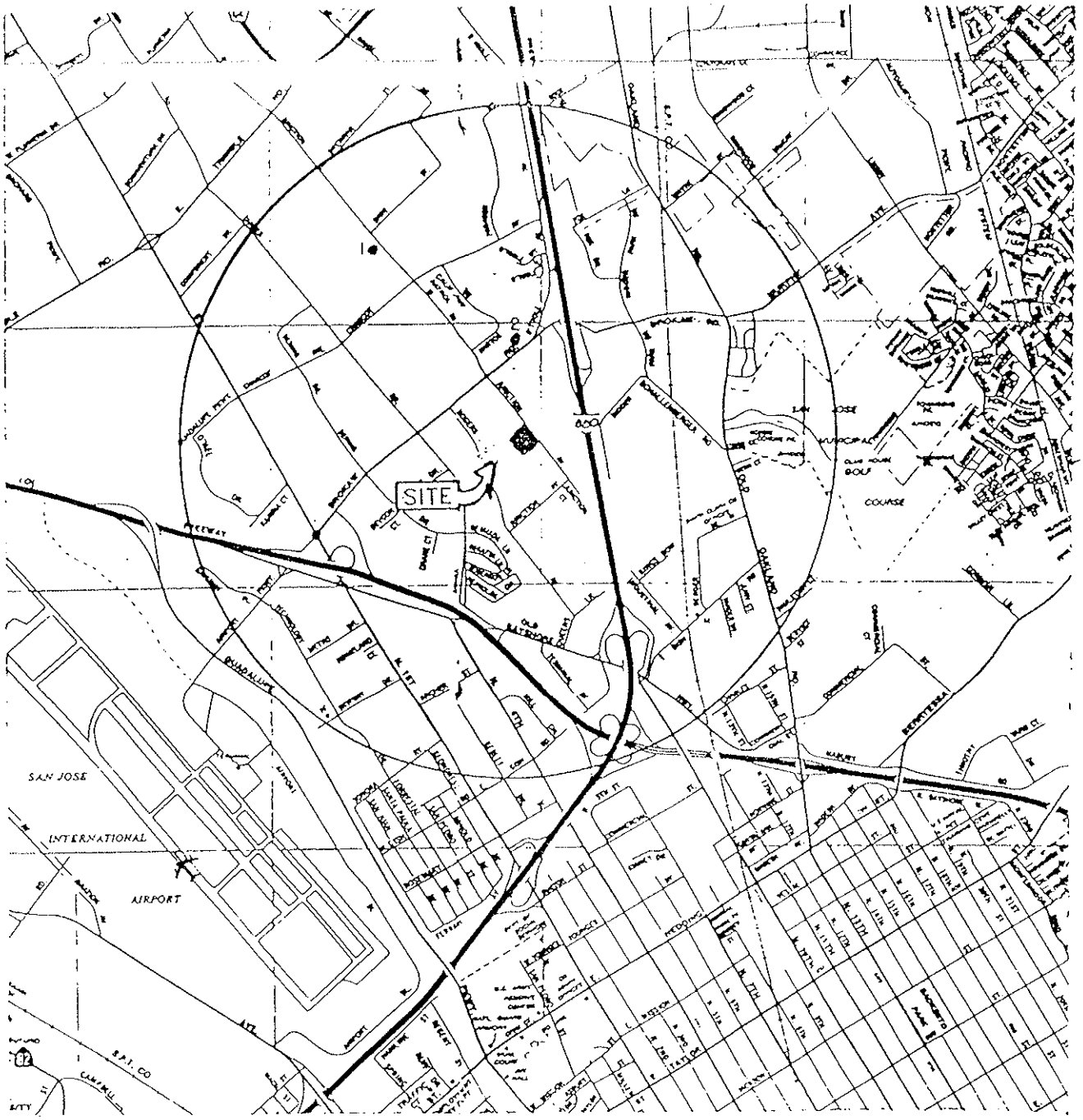
13. The Board will review this Order periodically and may revise the requirements when necessary.

I, Steven R. Ritchie, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on March 15, 1995.

Steven R. Ritchie
Executive Officer

Attachments:

Figure 1: General Location Map
Figure 2: Site Map



BASE MAP REFERENCE:
CALIFORNIA STATE AUTOMOBILE ASSOCIATION
GREATER SAN JOSE, NORTHERN AREA
REVISED 1987

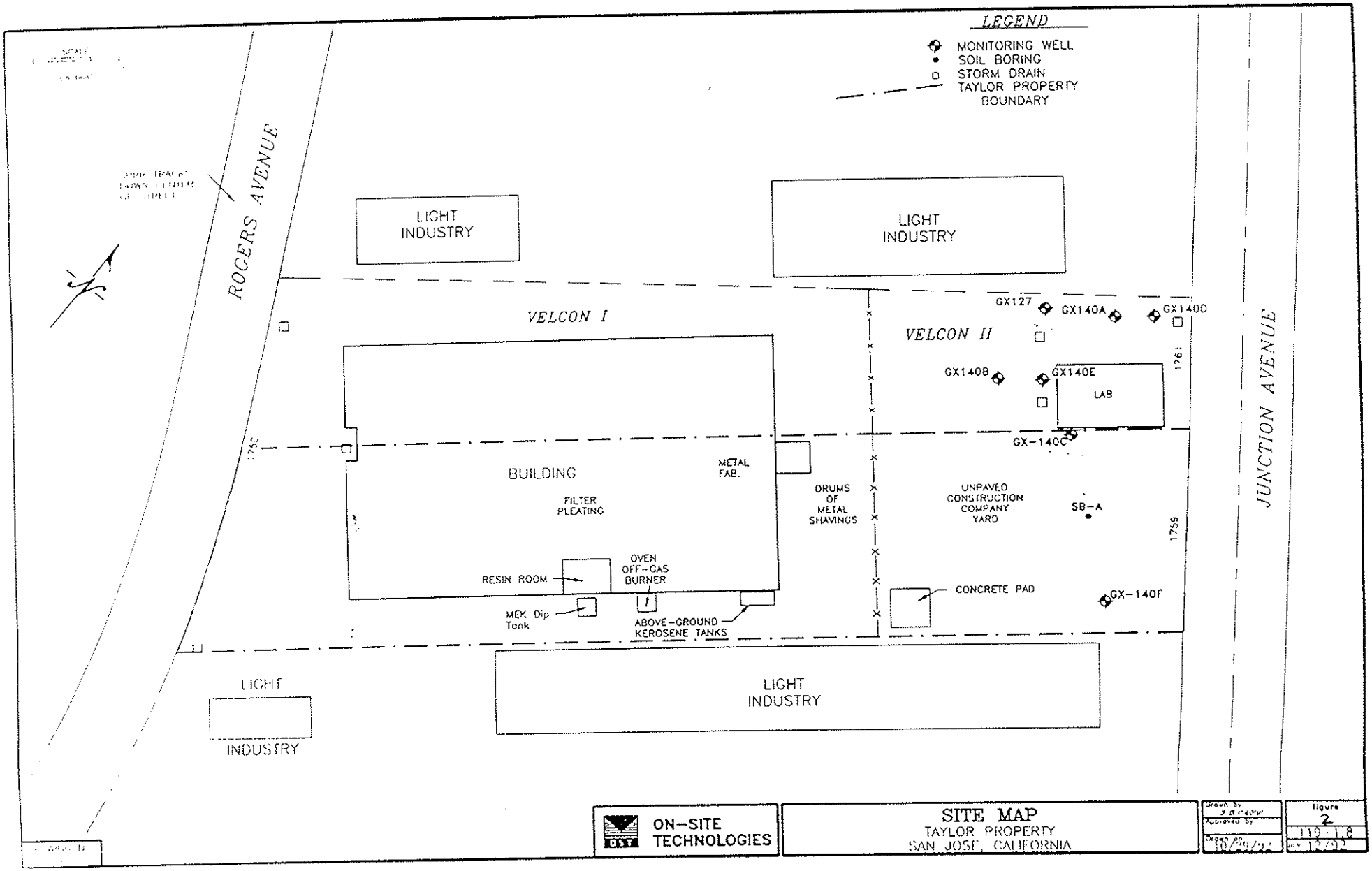
SCALE
2500 0 2500
(in feet)

ON-SITE TECHNOLOGIES

VICINITY MAP
VELCON PROPERTIES
SAN JOSE, CALIFORNIA

DRAWN BY: J. Capp
APPROVED BY:
DRAWN ON: 10/29/92

figure 1
119-7.12
REV. 1


LEGEND
MONITORING WELL
SOIL BORING
STORM DRAIN
TAYLOR PROPERTY BOUNDARY
ROGERS AVENUE
JUNCTION AVENUE
LIGHT INDUSTRY
LIGHT INDUSTRY
VELCON I
VELCON II
GX127
GX140A
GX140D
GX140B
GX140E
LAB
GX-140C
BUILDING
METAL FAB.
FILTER PLEATING
DRUMS OF METAL SHAVINGS
UNPAVED CONSTRUCTION COMPANY YARD
SB-A
RESIN ROOM
OVEN OFF-GAS BURNER
MEK Dip Tank
ABOVE-GROUND KEROSENE TANKS
CONCRETE PAD
GX-140F
LIGHT INDUSTRY
LIGHT INDUSTRY
1761
1759
ON-SITE TECHNOLOGIES
SITE MAP
TAYLOR PROPERTY
SAN JOSE, CALIFORNIA
Figure 2
110-18